

Amendments to the Drawings:

The drawing sheet attached in connection with the above-identified application containing Figure 1 is being presented as a new formal drawing sheet to be substituted for the previously submitted drawing sheet. The drawing Figure 1 has been amended as suggested by the Examiner.

The specific change which has been made to Figure 1 is the replacement of the unidirectional arrow of 53 with a bidirectional arrow.

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 42, 44, 47, 58 and 60 are requested to be canceled without prejudice or disclaimer. Claims 1-30 have been previously canceled.

Claims 31-41, 43, 45-46, 48-57 and 59 are currently being amended.

Claims 61-64 are being added.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 31-41, 43, 45-46, 48-57, 59 and 61-64 are now pending in this application.

Objection to the Drawings

The Examiner objected to the drawings for allegedly not showing every feature of the invention specified in the claims. Applicant has amended the drawings in accordance with the Examiner's suggestions.

Objection to the Specification

The title of the invention was objected to as allegedly not being indicative of the invention. Applicant has amended the title to better indicate the nature of the invention.

The Examiner objected to the specification containing a hyperlink. Applicant notes that the objected to portion of the specification was intended to be a URL, not a hyperlink or any other browser-executable code. Applicant has amended the specification to delete "https://".

Applicant respectfully requests these objections be withdrawn.

Objection to the Claims

The Examiner objected to claims 49 and 56 for certain informalities. Applicant has amended claims 49 and 56 to correct the informalities. Therefore, Applicant respectfully requests these objections be withdrawn.

Rejections under 35 U.S.C. § 103

The Examiner rejected claims 31-60 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Publication No. 2003/0221010 to Yoneya et al. (hereinafter “Yoneya”) in view of U.S. Patent Publication No. 2002/0102992 to Koorapaty et al. (hereinafter “Koorapaty”). Applicant respectfully traverses these rejections for at least the following reasons.

Embodiments of the present invention relate to a mobile communication device and satellite positioning device to be adjacently coupled for receiving and transmitting timing and location information. In one embodiment, this is accomplished through usage of a fixed delay channel. This channel can produce an advantageous effect. For example, as described in the specification, “the eSCO channel communication system allows both the master and slave devices to determine when the information was sent and, therefore, any transmission delay may be accounted for.” Specification, paragraph [0058]. Thus, embodiments of the present invention produce more accurate timing information at the satellite positioning receiver, which then produces quicker and better estimates of the actual positional estimate. Applicant has amended independent claims 31, 32 and 56 to more clearly recite this feature. None of the cited prior art references teaches or suggests at least this feature of the independent claims.

For example, Yoneya discloses a wireless connection between a mobile device (CL222) and a GPS receiver (Grv). See Yoneya, Figure 2. Specifically, Yoneya describes a wireless portable terminal, such as a PDA Bluetooth, connected to the GPS receiver. See Yoneya, paragraph [0708]. As acknowledged by the Examiner, Yoneya fails to teach or suggest “at least one of timing information and location information from the cellular

communications network and transmitting it to the GPS device.” Office Action dated February 19, 2008, Page 4.

Koorapaty fails to cure the deficiencies of Yoneya. Koorapaty discloses a GPS equipped cell phone receiving assistance from a server. The server is connected to a GPS receiver. The cell phone receives the assistance through a cellular network via the local radio base station. See Koorapaty, Figure 1. In accordance with the disclosure of Koorapaty, the assistance includes receiving an approximate GPS time from the server. See Koorapaty, paragraph [0014].

There is no teaching or suggestion in Koorapaty of a mobile communication device having a wireless transmitter configured to transmit at least one of the of the timing information and location information to an adjacent satellite positioning device wherein the wireless transmitter is further configured to transmit to the adjacent satellite positioning device using a fixed delay communications channel.

The Examiner alleges that it would have been obvious to include cellular network based assistance in order to provide the user with position as soon as possible in view of the disclosure of Koorapaty and Yoneya. Applicant respectfully disagrees with the Examiner’s interpretation of the disclosure of Koorapaty and Yoneya.

As clearly noted in the M.P.E.P., in order to establish a *prima facie* case of obviousness, “the prior art reference (or references when combined) must teach or suggest all the claim limitations.” M.P.E.P. § 2142 (emphasis added). The Office Action fails to cite any reference that teaches or suggests the above-noted features of the pending claims. Therefore, the Office Action fails to establish a *prima facie* case of obviousness.

Therefore, independent claims 31, 32 and 56 are patentable. Claims 33-41, 43, 45-46, 48-55, 57 and 59 each depend, either directly or indirectly, from one of allowable claims 31, 32 or 56 and are, therefore, patentable for at least that reason, as well as for other patentable features when those claims are considered as a whole.

New claims 61-64 have been added to recite additional aspects of the invention. Support for the subject matter of claims 61-64 is found in the originally filed specification and drawings. No new matter has been added. Claims 61-64 are believed to be patentable for reasons similar to those noted above.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date June 19, 2008

By /G. Peter Albert Jr./

FOLEY & LARDNER LLP
Customer Number: 30542
Telephone: (858) 847-6735
Facsimile: (858) 792-6773

G. Peter Albert Jr.
Attorney for Applicant
Registration No. 37,268